

**PATENT****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: CHO ) Examiner O. Anwah  
Appl. No.: 09/928,321 ) Art Unit 2645  
Confirm No. 7384 )  
Filed: 13 August 2001 ) Atty. Docket No. CS11370  
Title: "Voice Announced Caller Identification Features and  
Methods Therefor"

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
Alexandria, Virginia 22313-1450

Sir:

That claimed subject matter of the referenced patent application stands subject to a rejection under 35 U.S.C. 102(e) for anticipation by United States Patent Application Publication No. 2003/0026416 A1 filed on 1 August 2001 entitled "Personalized Telephone Announcement" to Fusco in an Office Action mailed on 20 October 2004.

Applicant's Declaration filed on 20 December 2004 established conception of the subject matter of the present application in the United States or other region permitted by Rule prior to the effective date of United States Patent Application Publication No. 2003/0026416 A1 filed on 1 August 2001 entitled "Personalized Telephone Announcement" to Fusco.

Best Available Copy

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"Voice Announced Caller Identification  
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The instant Declaration establishes diligence in the filing of the patent application (constructive reduction to practice) from a time prior to the effective date (1 August 2001) of the Fusco Publication to the filing date of the present patent application (13 August 2001).

In support of this Declaration, I, Roland K. Bowler II, the undersigned Attorney of Record, declare and sayeth the following:

That an invention disclosure forming the subject matter of the referenced invention was assigned to my docket after review of the disclosure by a Motorola, Inc. Patent Committee before the effective date of the Fusco Publication;

That on 31 July 2001, I sent a message to the inventors named in the instant application requesting a facsimile number to which draft patent drawings could be transmitted for review by the inventors. A true copy of the message is attached as Exhibit A;

That on 01 August 2001, I sent a draft patent specification and drawings to the inventors. A true copy of the message is attached as Exhibit B;

That on 02 August 2001, I expended approximately two (2) hours of time working on the present application, referenced by Atty. Docket No. CS11370. A true copy of the my attorney work Log is attached (unrelated subject matter redacted) as Exhibit C;

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That on 2 August 2001, I sent informal drawings to Mr. Kevin Baker, a patent draftsman at the Motorola Harvard Legal Dept., for preparation of formal drawings. A true copy of the facsimile confirmation sheet is attached as Exhibit D. And that the formal drawings were reviewed and finalized prior to filing the patent application on 13 August 2001;

That upon completion of the review of the patent specification and drawings the inventors executed a Declaration and Assignment on Thursday, 9 August 2001 prior to the filing of the application on Monday, 13 August 2001;

That all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



ROLAND K. BOWLER II  
REG. NO. 33,477

9 FEB. 2005

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